

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

IN THE MATTER OF

**PETITION FOR DECLARATORY RULING FILED
REGARDING PROVISION OF VIDEO RELAY
SERVICE (VRS) VIDEO MAIL**

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) **CG DOCKET NO. 03-123**
) **DA DOCKET NO. 04-2062**
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**WRITTEN COMMENTS OF
THE IDAHO PUBLIC UTILITIES COMMISSION**

On July 9, 2004, the Federal Communications Commission released a Public Notice DA 04-2062 seeking comments regarding a Petition for Declaratory Ruling filed by Hands On Video Relay Service, Inc. (HOVRS) on March 31, 2004. In its Petition, HOVRS states that VRS Mail is a means by which hearing persons can have a VRS communications assistant (CA) send a message in video format (American Sign Language) to a deaf or hard of hearing VRS user who is not available to answer the call, so that the VRS user can retrieve the video message at a later time. Further, HOVRS requests that the Commission declare that the provision of Video VRS Mail to deaf and hard of hearing persons is eligible for compensation from the Interstate Telecommunications Relay Service (TRS) Fund.

According to 47 C.F.R. 64.601(17), Video Relay Service (VRS) is a “telecommunications relay service that allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment. The video link allows the CA to view and interpret the party's signed conversation and relay the conversation back and forth with a voice caller.” VRS Mail appears to be an added feature of VRS similar to the TTY mailbox or answering machine features of traditional TRS that, for

interstate calls, are reimbursed by the Interstate TRS Fund. Therefore, Idaho does not oppose VRS mail being reimbursed from the Interstate TRS Fund.

However, the Idaho Public Utilities Commission (IPUC) is concerned that the Commission might consider allocating the costs of intrastate VRS (and its various features such as VRS Mail) to state TRS funds. In FCC 04-137, the Commission set the per-minute compensation rate for VRS at \$8.854 and sought comment on appropriate cost recovery methodologies. If States are mandated to provide VRS, it would result in a significant, unsustainable burden to the ratepayers of Idaho. The IPUC believes that funding the current VRS rate of \$8.854 per minute through traditional methods such as a charge against MTS minutes and landlines would place an unreasonable burden on Idaho ratepayers. Furthermore, it would be nearly impossible to configure a funding mechanism that could be applied in a competitively neutral fashion.

Respectfully submitted this 16th day of August 2004.

For the Idaho Public Utilities Commission

A handwritten signature in black ink, appearing to read "Donald L. Howell, II". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Donald L. Howell, II
Deputy Attorney General

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